



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
06/459,700	06/02/95	HARVEY	5634.243

Hunton & Williams
1900 K Street, N.W.
Washington DC 20006-1109

LM02/0608

EXAMINER
LOTHER, W

ART UNIT	PAPER NUMBER
2731	27

DATE MAILED: 06/08/00

Please find below and/or attached an Office communication concerning this application or proceeding.

See Attached.

Commissioner of Patents and Trademarks

1. This action is in response to ~~7/6/99~~. Remarks that exist for pending claims ~~2-24~~, have been considered but are moot in view of the new ground(s) of rejection.

Overview.

As a preliminary matter, it is understood that applicants and the PTO have agreed to consolidate co-pending applications from ~329 in number to ~78 in number wherein applicants "claim" priority benefit under Section 120 for ~41/78 to 9/11/87 ('87), and ~37/78 to 11/3/81 ('81). However, to date, applicants have failed to complete the consolidation. For example and for illustration, in the group of 37/78, examiner finds consolidation papers for only 23 of 37.¹ ~~8/10/99~~ 3/15/04

Applicants must understand that their failure, to date, to complete the consolidation has contributed to delay in prosecution, noting that the agreement to consolidate was made over an entire year ago.² Clarification is requested for when applicants intend to carry forth completion of their

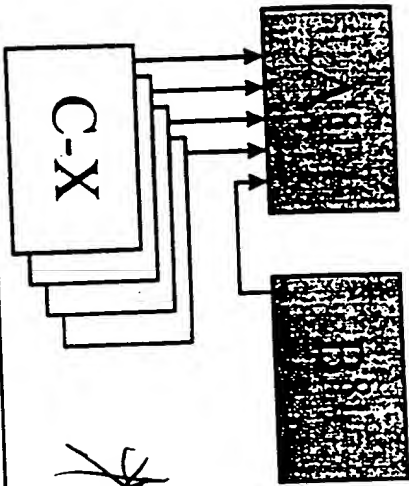
¹See Appendix B for examiners count of cases having consolidation papers. It is noted, for ex, that "group" 8 fails to map the claims, and hence is not within consonance of agreement and therefore is recognized as an amendment to an outstanding office action.

²For illustration, it is noted that the co-pending application no. 08/474,964 (see "group" 30 in Appendix B) consolidation was received 3/9/99. Therein, on page 9 (paper 20), applicants allege "In consonance with the agreement...Applicants...join the claims", etc.

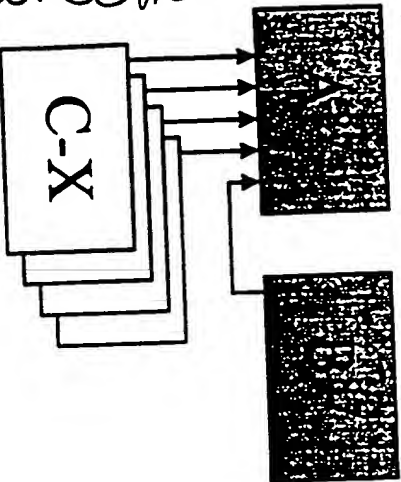
Applicants' allegation
of consolidation.

Attachment 1

1981 Effective Filing Date



1987 Effective Filing Date



1. Enter preliminary amendment to A adding: (a) all claims of applications C to X, and (b) all but one claim of application B.
2. Receive from PTO interview summary stating the origin of transferred claims and that all the claims are subject to examination in application A.
3. Expressly abandon applications C to X.
4. Maintain application B as a potential application for any claims not allowed.

Issue Application A

Expressly abandon application B if no Appeal issues

Officially amend claims in application A and add any undisputed claim from application B.

2d Interview of Record: 1. 112(1&2); 2. Pat. SM; 3. All issues resolved.

Each Group of 52

Applicants propose amendments to claim language

Examiners prepare questions in response

1st Interview of Record

Off-record interviews with applicants and examiners

Any Claims to Appeal?

No

Yes

2d Interview of Record: Claims at issue moved to application B; cancelled from application A, if any.

Allowable claims to Appln. A

Office Action

Appln. B To Board of Appeals

Interview Summary Attachment

USPTO Serial No. 08/AAA,AAA
Attorney Docket No. 05634.000A
Filing Date: August 30, 1993
Art Unit: 2737
Examiner: FAILE, A.

Int. Summary that
applicants alleged
they would provide

Applicants hereby present a preliminary amendment to the above-identified application adding the following claim(s) from the following application serial number(s), and hereby expressly abandon the following corresponding application(s) as indicated below:

Claims	Applications Serial No(s).	Expressly Abandon Application(s)
X	08/XXX,XXX	
Y	08/YYY,YYY	Abandoned
Z	08/ZZZ,ZZZ	Abandoned

The preliminary amendment adding the above-identified claims is hereby entered in the above-identified application and examined along with original claims XXX. An action on the merits is to follow.

Date: _____, 1999.